

ATTORNEYS AT LAW

Docket No.: 214149US99M CONT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/095,325
Applicants: Gene EGGLESTON, et al.
CPA Filing September 18, 2001
Date:
For: METHOD AND APPARATUS FOR RATE
GOVERNING COMMUNICATIONS
Group Art Unit: 2152
Examiner: Jason D. Cardone

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SIR:

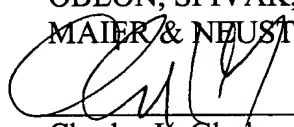
Attached hereto for filing are the following papers:

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY, NOTICE OF APPEAL, AND REQUEST FOR EXTENSION OF TIME**

Our check in the amount of \$2,550.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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Attorney Docket Number: PD05513AWD01
Oblon Ref: 214149US99M CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: :
Gene Eggleston, et al. :
Serial Number: 09/095,325 : Examiner: Jason D. Cardone
Filed: September 18, 2001 : Group Art Unit: 2152
For: METHOD AND APPARATUS FOR :
RATE GOVERNING COMMUNICATIONS

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant, through counsel of record, hereby petitions the Patent Office to revive the above-identified application which has been abandoned unintentionally as defined under 37 CFR 1.137(b).

Submitted hereinwith is:

1. The petition fee.
2. A Notice of Appeal.

A terminal disclaimer is not required for this application since the application was filed after June 8, 1995.

The entire delay in filing the required reply from the due date until the filing of a grantable petition was unintentional.

A prompt and favorable reply to this petition is earnestly solicited.

DEAN TERRELL 00000022 09095325

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Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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